

In the Application of
Short, et al. (as amended)
Filed: July 9, 2001



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3

PATENT
Attorney Docket No.: DIVER1230-2

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled, "ENZYMES HAVING THERMOSTABLE PHOSPHATASE ACTIVITY AND METHODS OF USE THEREOF", the specification of which

_____ is attached hereto.

X was filed on July 9, 2001, (Attorney Docket No. DIVER1230-2)

as U.S. Application Serial No. 09/902,525

and was amended on _____

if applicable (the "Application").

I hereby authorize and request insertion of the application serial number of the Application when officially known.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

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With respect to the Application, I hereby claim the benefit under 35 U.S.C.
Section 119(e) of any United States provisional application(s) listed below:

| | |
|--------------------------|----------------|
| <u>60/033,752</u> | <u>6/19/96</u> |
| (Application Serial No.) | (Filing Date) |

With respect to the Application, I hereby claim the benefit under 35 U.S.C.
Section 120 of any United States application(s), or Section 365(c) of any PCT International
application designating the United States, listed below and, insofar as the subject matter of
each of the claims of the application is not disclosed in the prior United States or PCT
International application in the manner provided by the first paragraph of 35 U.S.C. Section
112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all
information known to me to be material to patentability of the subject matter of the
Application as defined in Title 37, C.F.R., Section 1.56 which became available between the
filing date of the prior application and the national or PCT International filing date of the
Application:

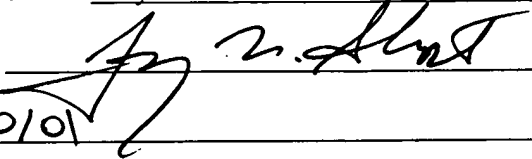
| | | |
|--------------------------|-----------------|--------------------------------|
| <u>09/202,681</u> | <u>12/23/99</u> | <u>Pending</u> |
| (Application Serial No.) | (Filing Date) | (Status) |
| | | (patented, pending, abandoned) |
| <u>US97/10784</u> | <u>6/19/97</u> | <u>Pending</u> |
| (Application Serial No.) | (Filing Date) | (Status) |
| | | (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true
and that all statements made on information and belief are believed to be true; and further that
these statements were made with the knowledge that willful false statements and the like so
made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the
United States Code and that such willful false statements may jeopardize the validity of the
application or any patent issued thereon.

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PATENT
Attorney Docket No.: **DIVER1230-2**

Full name of first inventor: Jay M. Short

Inventor's signature: 

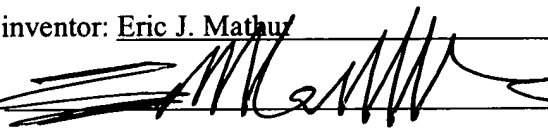
Date: 12/20/01

Residence: Rancho Santa Fe, CA

Citizenship: USA

Post Office Address: 6801 Paseo Delicias
Box 7214
Rancho Santa Fe, CA 92067-7214

Full name of second inventor: Eric J. Mathuy

Inventor's signature: 

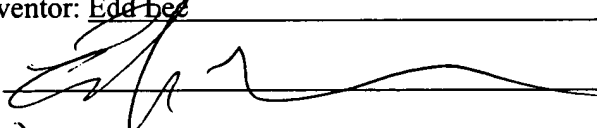
Date: 1/03/02

Residence: Carlsbad, CA

Citizenship: USA

Post Office Address: 2654 Galicia Way
Carlsbad, CA 92009

Full name of third inventor: Edd Bee

Inventor's signature: 

Date: 1/3/2002

Residence: Solana Beach, CA

Citizenship: USA

Post Office Address: 715 N. Rios Avenue
Solana Beach, CA 92075

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PATENT
Attorney Docket No.: **DIVER1230-2**

Full name of fourth inventor: Edward Bylina

Inventor's signature: *Edward Bylina*

Date: 2-27-02

Residence: San Diego, CA

Citizenship: USA

Post Office Address: 12635 El Camino Real, Apt. 4101
San Diego, CA 92130